

# COMPENSATION BOARD DOCKET #23/04

## October 20, 2022

### 307-23-04: SHERIFFS & REGIONAL JAILS

#### NEW BUSINESS:

#### CONSENT DOCKET

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
VARIOUS	SHERIFFS/ SUPERINTENDENTS	October 19, 2022 - Officers request to transfer accumulated Vacancy Savings to Temporary/Office Expense categories.	\$0.00	Approved per the Compensation Board's FY23 Budget Priorities and Policies. This is a one-time transfer, not in the base budget.

FIPS	Office Code	Locality Name	Request Date	From Category	To Category	Amount Available	Amount Requested
087	307	Henrico County	9/29/2022	Vacancy Savings	Temporary	\$208,520.72	\$208,520.72
445	307	Rockbridge Regional Jail	10/13/2022	Vacancy Savings	Office Expense	\$14,021.73	\$14,021.73
455	307	Western Tidewater Regional Jail	10/19/2022	Vacancy Savings	Office Expense	\$84,392.44	\$84,392.44
465	307	Riverside Regional Jail	10/20/2022	Vacancy Savings	Office Expense	\$676,934.96	\$676,934.96
650	307	Hampton City	10/19/2022	Vacancy Savings	Office Expense	\$509,978.98	\$509,978.98
480	307	New River Valley Regional Jail	10/6/2022	Vacancy Savings	Office Expense	\$327,308.94	\$219,006.64
480	307	New River Valley Regional Jail	10/6/2022	Vacancy Savings	Temporary	\$0.00	\$108,302.30
590	307	Danville City	10/12/2022	Vacancy Savings	Temporary	\$45,287.68	\$45,287.68
690	307	Martinsville City	10/13/2022	Vacancy Savings	Temporary	\$26,052.42	\$26,052.42
770	307	Roanoke City	10/10/2022	Vacancy Savings	Temporary	\$106,607.86	\$106,607.86
		<b>Totals</b>				<b>\$1,999,105.73</b>	<b>\$1,999,105.73</b>

NORTHAMPTON COUNTY	SHERIFF	October 19, 2022 Officer requests to transfer the vacant annual salaries of the following positions to Office Expense Funds for food service or medical service contracts.	\$0.00	Approved per the Compensation Board's FY23 Budget Priorities and Policies. This is a one-time transfer, not in the base budget.
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Officer states that he does not intend to fill the vacant positions in FY23.

FIPS	Office Code	Locality Name	Request Date	From Position	Classification	To Category	Annual Salary Amount	Pro-Rated Amount Available	Pro-Rated Amount Requested
131	307	Northampton County	10/06/22	00026	PMED	Office Expense	\$22,509.00	\$15,988.52	\$15,988.52
131	307	Northampton County	10/06/22	00074	PMED	Office Expense	\$23,246.00	\$17,434.53	\$17,434.53
131	307	Northampton County	10/06/22	00077	PMED	Office Expense	\$22,729.00	\$14,046.72	\$14,046.72
		<b>Grand Total</b>					<b>\$68,484.00</b>	<b>\$47,469.77</b>	<b>\$47,469.77</b>

## 772-23-04: COMMONWEALTH'S ATTORNEYS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
NEWPORT NEWS CITY	COMMONWEALTH'S ATTORNEY	10-7-2022 Officer requests transfer Vacancy Savings in the amount of \$18,932.20 to Temporary funds.		\$0.00	Approved per the Compensation Board's FY23 Budget Priorities and Policies. This is a one-time transfer, not in the base budget.

FIPS	Office Code	Locality Name	Request Date	From Category	To Category	Amount Available	Amount Requested
700	772	Newport News City	10/12/22	Vacancy Savings	Temporary	\$18,932.20	\$18,932.20
		<b>Totals</b>				<b>\$18,932.20</b>	<b>\$18,932.20</b>

KING WILLIAM	COMMONWEALTH'S ATTORNEY	09-29-2022 Officer requests, in accordance with §15.2-1606 and 15.2-1636.14, to reimburse King William County for defense counsel expenses paid to Thompson McMullan in the amount of \$1,411.19, for legal representation of Matthew R Kite, Commonwealth's Attorney, in the ongoing civil case of Virginia Animal Owners Alliance v. Jason S. Miyares, et al, Case No. 22-00450  Officer has provided a letter from the Division of Risk Management stating that the Division would not provide coverage in this civil case.		\$1,411.19	The Compensation Board approved reimbursement of \$1,411.19 for expenses incurred in accordance with §15.2-1606, Code of Virginia.
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WAYNESBORO CITY	COMMONWEALTH'S ATTORNEY	October 3, 2022 Officer requests to transfer Vacancy Savings to equipment to fund the following equipment items.  Officer states the locality agrees to fund the difference between the total cost and the stressed cost of the equipment. Officers state their understanding that equipment must be reimbursed no later than the May reimbursement request.		\$0.00	Approved per the Compensation Board's FY23 Budget Priorities and Policies. This is a one-time transfer, not in the base budget.  The Compensation Board notes that equipment funds must be requested for reimbursement no later than the May, 2023 payroll reimbursement request.
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FIPS	Locality Name	Equipment Requested	Requested Qty	Requested Cost	Total Requested Cost	Per Policy Qty	Per Policy Cost	Total Cost Approved	Stressed Cost
820	Waynesboro City	Mac Book Laptop	2	\$1,499.00	\$2,998.00	2	\$1,200.00	\$2,400.00	\$2,058.24
	<b>Waynesboro City Total</b>				<b>\$2,998.00</b>		<b>\$1,200.00</b>	<b>\$2,400.00</b>	<b>\$2,058.24</b>

## 772-23-04: COMMONWEALTH'S ATTORNEYS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
TAZEWELL COUNTY	COMMONWEALTH'S ATTORNEY	10-7-2022 Officer requests to move funding between a vacant funded Assistant Commonwealth's Attorney I position to a filled unfunded administrative position, to swap which position remains unfunded following state budget reductions in a prior year. Turnover savings from funding the administrative position at a lesser salary will be used to provide salary increases to other permanent personnel within Compensation Board policy, effective October 1, 2022. Staff notes that none of the positions receiving salary adjustments using turnover are in the Career Prosecutor Program (and therefore will not increase career development program costs), and that local supplements are not reported for Compensation Board funded positions in this office. Staff also notes that the office is currently funded for 4 administrative support positions and is due 5 additional administrative support positions under current staffing standards, a significantly greater variance than the unfunded need for attorney positions.		\$0.00	Approved as an exception to policy, based upon the specific circumstances stated by the officer.

FIPS	Office Code	Locality Name	Request Date	Effective Date	From Position	From Class Code	To Position	To Class Code	Current Base	New Base	Pro Rate for FY23	Pro Rate for FY23
185	772	Tazewell County	10/7/22	10/1/22	00016	ATTI	00016	ATTI	\$62,509	\$0	-\$62,509	-\$46,881.75
185	772	Tazewell County	10/7/22	10/1/22	00013	SEC	00013	SEC	\$0	\$28,869	\$28,869	\$21,651.75

## 772-23-04: COMMONWEALTH'S ATTORNEYS

### NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CAREER PROSECUTOR PROGRAM AUDIT	CAREER PROSECUTOR PROGRAM AUDIT	<p>10-18-2022 The Career Prosecutor Audit Committee reports the results of the Career Prosecutor Program audits. The following offices have met all necessary requirements and no further action is required:</p> <ul style="list-style-type: none"> <li>• Botetourt County</li> <li>• Chesterfield County</li> <li>• Fluvanna County</li> <li>• Henrico County</li> <li>• Lee County</li> <li>• Rockbridge County</li> <li>• Tazewell County</li> <li>• Chesapeake City</li> <li>• Danville City</li> <li>• Norfolk City</li> </ul> <p>The following office has met all necessary requirements, but the committee requires the employee evaluation to be performed on an annual basis that is more in line with the procedures laid out in the Career Prosecutor Program Plan:</p> <ul style="list-style-type: none"> <li>• Culpeper County</li> </ul> <p>Additional documentation regarding specific program requirements has been requested by the committee for specified auditee(s) and must be submitted by December 30, 2022, otherwise the auditee(s) will be promptly removed from the Career Prosecutor Program:</p> <ul style="list-style-type: none"> <li>• Dickenson County</li> <li>• Wise County</li> <li>• Roanoke City</li> <li>• Virginia Beach City</li> </ul> <p>The following office not meet the necessary requirements, and the auditee will be removed from the Program:</p> <ul style="list-style-type: none"> <li>• Floyd County</li> </ul> <p>Staff notes: The Wise County Commonwealth Attorney has submitted the requested documentation. It has been reviewed by the Audit Committee and found to be satisfactory. There is no further action required by the Wise County Commonwealth's Attorney.</p>		N/A	Approved as recommended. The Compensation Board wishes to thank the members of the Audit Committee for their time and assistance.

**773-23-04: CIRCUIT COURT CLERKS**  
**OLD BUSINESS:**

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
CHESAPEAKE CITY	CIRCUIT COURT CLERK	<p><b>At its meeting on September 27, 2022, the Compensation Board deferred action on the request of the Clerk to approve a written agreement for annual fixed pricing between the Clerk and the City for fees paid for transactions by the City processed by the Clerk's office. The request was deferred pending receipt of additional information from the Clerk regarding the historical timeline of the agreement and an evaluation of the appropriate compensation under such an agreement to represent compensation for services performed by the Clerk's office as an alternative payment in lieu of fees and commissions for such services.</b></p> <p>October 14, 2022 Officer provides follow-up information regarding projected fees/costs to provide services to the City for transactions processed by the Clerk's office in FY22 and in FY23 to-date. The Clerk forwards the City's recommendation to amend the proposed agreement based on actual costs projected for actual transactions, and requests consideration by the Compensation Board for approval of the agreement including such amendments.</p>		\$0.00	The Compensation Board approved the revised agreement, with an annual agreement amount of \$30,000. Once the City and Clerk have signed the agreement, it should be forwarded to the Executive Secretary for her signature.
JAMES CITY COUNTY	CIRCUIT COURT CLERK	<p>October 5, 2022 Officer requests to budget funding from the remaining balance of available TTF \$4 funds in the amount of \$39,209 for the following line items.</p> <ul style="list-style-type: none"> <li>• Jury Plus Maintenance (vendor, Kofile)</li> <li>• Scanning (vendor, Kofile)</li> <li>• Digitize-Index (Courthouse Computer Systems)</li> </ul> <p>This office elected to carry over unbudgeted \$4 TTF projected collections of \$115,484 in James City County, and currently has \$31,363 in \$4 TTF cash available on-hand through September, 2022 collections for additional budgeting in FY23 (beyond the cash amount on hand that is already committed to previous budgeted amounts totaling \$122,758).</p>		\$39,209 NGF (\$4 TTF)	The Compensation Board approved the amount of \$39,209 from the office's projected FY23 \$4 TTF unbudgeted balance.

771-23-04: COMMISSIONERS OF THE REVENUE  
NONE.

774-23-04: TREASURERS  
NONE.

## OTHER MATTERS

### NEW BUSINESS:

REGULAR DOCKET					
	<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
1.	MEETING MINUTES	COMPENSATION BOARD	Staff presents minutes for approval as follows: Docket #23/03.	N/A	Approved.
2.	COMPENSATION BOARD MEETINGS	COMPENSATION BOARD	Confirmation of upcoming Board meetings: Thursday, November 17, 2022 at 11:00 a.m. and <b>Monday</b> , December 19, 2022 at <b>10:00</b> a.m.	N/A	Confirmed.
3.	NEW OFFICER TRAINING	COMPENSATION BOARD	The Compensation Board's New Officer Training is scheduled for December 7-9, 2022. Staff is planning for an in-person conference in 2022, to be held at the Embassy Suites by Hilton in Richmond, Virginia. Staff is aware at this time of an estimated 19 new officers that may be invited to attend.	N/A	Noted.
4.	JAIL COST REPORT	COMPENSATION BOARD	Staff presents the FY2021 Jail Cost Report.	N/A	Approved.
5.	MENTAL ILLNESS IN JAILS REPORT	COMPENSATION BOARD	Staff presents the draft FY22 Mental Illness in Jails Report. Updates are anticipated to fill in some content in the final measures based upon input from other agencies (awaiting feedback before finalizing).	N/A	Noted pending completion of final report.

## OTHER MATTERS

### NEW BUSINESS:

		REGULAR DOCKET			
	<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>RECOMMENDED COMPENSATION BOARD ACTION</u>
6.	STATUS REPORT ON NCSC STUDY OF COMM ATTYS WORKLOAD	COMPENSATION BOARD	Staff provides status update on report from the National Center for State Courts on the workload and staffing study for Assistant Commonwealth's Attorneys due to legislative appropriations committees.	N/A	Noted.
7.	TECHNOLOGY TRUST FUND COLLECTIONS & BUDGETING	COMPENSATION BOARD	<p><b>Collections:</b> FY23 collections for July through September totaled \$1,591,235.72, a decrease of 33.16% compared to the same period of collections in FY22.</p> <p><b>Expenditures:</b> FY23 year-to-date Clerks' expenditures through 10/17/22, totaled \$0 or 0% of budgeted Technology Trust Funds, as the September 2022 reimbursements had not yet completed processing.</p> <p><b>Projections:</b> Based on current collections to date, FY23 TTF total collections would be approximately \$6.36 million, a decrease of 22.65% compared to FY22 collections</p>	N/A	Noted.

**CLOSED MEETING**  
**COMPENSATION BOARD DOCKET #23/04**  
**October 20, 2022**

**NO CLOSED MEETING.**

1) **MOTION FOR “CLOSED MEETING” by Chairman Jeffrey Palmore. (\_\_\_\_\_ seconded the motion).**

- ☐ Under the provisions of Section 2.2-3711.A.1, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** to discuss personnel issues—discussion of interview applicants, assignment, appointment, promotion, performance, salaries, discipline or resignation of specific officers, appointees or employees.
- ☐ Under the provisions of Section 2.2-3711.A.7, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** for consultation with legal counsel and/or briefing by staff members pertaining to actual or “probable litigation” concerning

When the closed meeting is complete, the public body must ***immediately*** reconvene in open session and take a recorded vote of its members in roll call fashion.

**MOTION BY CHAIRMAN (vacant): I move to certify that only public business exempt from the Act was discussed.**  
**(\_\_\_\_\_ seconded the motion.)**

Jeffrey Palmore, Chairman	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Craig Burns, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Staci Henshaw, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**AND**

**MOTION BY CHAIRMAN (vacant): I move to certify that only public business matters identified in the motion to convene the closed meeting were discussed. (\_\_\_\_\_ seconded the motion.)**

Jeffrey Palmore, Chairman	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Craig Burns, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Staci Henshaw, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**Any member who cannot certify must state the specific details of the unauthorized discussion on the record. That record can be used as evidence in a lawsuit brought against the public body for violating the Act.**



## FOR YOUR INFORMATION NONE.

Public Body: Compensation Board  
Date: October 20, 2022  
Time: 11:00 a.m.  
Location: Compensation Board Conference Room  
Oliver Hill Building, 102 Governor Street  
Richmond, VA 23219  
Members: Jeffrey Palmore, Chairman (present)  
Craig Burns, Ex Officio member (present)  
Staci Henshaw, Ex Officio member (present)

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